

REMARKS

Claims 1 to 21 were pending in the application at the time of examination.

Claims 11-20 are allowed.

Claims 2-9 stand objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 21 stands rejected as non-statutory.

Claims 1 and 10 stand rejected as anticipated.

Claim 1 has been cancelled.

Claims 2, 10, and 21 have been amended.

The specification has been amended to correct typographical errors. Applicants submit support for the amendments can be found in the application as filed at least at Fig. 2B, and that no new matter has been added.

Claims 2-21 are presented for examination.

Claims 11-20 Are Allowed

In the Office Action at page 2, paragraph 4, the Examiner states:

Claims 11-20 are allowed.

Applicants respectfully thank the Examiner for the allowance of Claims 11-20.

Claims 2-9 Are Allowable

In the Office Action at page 2, paragraph 3, the Examiner states:

Claims 2-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 2 has been amended into independent form including all of the limitations of base Claim 1. Applicants respectfully submit Claim 2, as amended, overcomes the Examiner's objection and respectfully requests reconsideration and withdrawal of the objection to Claim 2.

Claims 3-9 depend directly or indirectly from Claim 2. Applicants respectfully submit that for at least the reasons Claim 2, as amended, is allowable, Claims 3-9 are also allowable. Applicants respectfully request reconsideration and withdrawal of the objection to Claims 3-9.

Rejections Under 35 U.S.C. §101

In the Office Action at page 3, paragraph 5, the Examiner states:

Claim 21 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

In regards to claim 21, computer-program product claimed as computer listings per se, i.e., the descriptions or expressions of the programs are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structure and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized. Therefore, the specified claims do not fall within the technological arts and therefore, is non-statutory. See MPEP § 2106.

Applicants have amended Claim 21 to clarify that the computer-readable medium is a tangible computer-readable medium, that the computer program code is for execution by a computer system, and that the stack frame corruption detection and recovery application is for execution by said computer system.

Applicants submit Claim 21 recites statutory subject matter and overcomes the Examiner's rejection. Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. §101 rejection.

Rejections under 35 U.S.C. §102(b)

In the Office Action at page 3, paragraph 6, the Examiner states:

Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Gosling (US 5,668,999).

Applicants have cancelled Claim 1, and thus the Examiner's rejection with regard to Claim 1 is rendered moot.

Applicants have amended Claim 10 to depend from Claim 2. Applicants respectfully submit that for at least the reasons Claim 2 is allowable, hereby incorporated by reference, Claim 10 is also allowable. Applicants respectfully request reconsideration and withdrawal of the anticipation rejection of Claim 10.

Conclusion

For the foregoing reasons, Applicant respectfully requests reconsideration and allowance of all pending claims.

Further, if the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

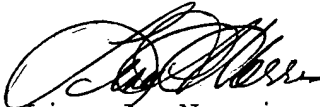
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 31, 2007.


Attorney for Applicant(s)

January 31, 2007
Date of Signature

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